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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/514,403	02/23/2006	Normand Beaudoin		2417

7590 07/09/2008
Normand Beaudoin
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CANADA

EXAMINER

TRIEU, THERESA

ART UNIT	PAPER NUMBER
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3748

MAIL DATE	DELIVERY MODE
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07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Non-Compliant Preliminary Amendment (37 CFR 1.121)	Application No.	Applicant(s)	
	10/514,403	BEAUDOIN, NORMAND	
	Examiner	Art Unit	
	Theresa Trieu	3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on *Feb. 23, 2006 and Nov. 15, 2004* is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
 - ☒ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
 - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☒ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☒ C. Other See Continuation Sheet.
- ☒ 4. Amendments to the claims:
 - ☒ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Theresa Trieu/

Legal Instruments Examiner (LIE), if applicable

571-272-4868

Telephone No.

Continuation of 1(c) Other: There are three sets of specification:

- the first set filed on Feb. 23, 2006 including 114 pages;
- the second set filed on Nov. 15, 2004 including 113 pages;
- the third set filed Nov. 15, 2004 including 133 pages.

However, the applicant does not indicate what the difference among the three sets of specifications. In other words, the specification filed on Feb. 23, 2006 (114 pages) has not been provided with the proper status identifier as: which page and which line have to be replaced or canceled or added in the specifications filed on Nov. 15, 2004 (113 pages). The specification filed on Nov. 15, 2004 (113 pages) has not been provided with the proper status identifier as: which page and which line have to be replaced or canceled or added in the specifications filed on Nov. 15, 2004 (133 pages). Then, the applicant has to introduce that there is no new matter to be added into the disclosure of the application since the specification filed on Nov. 15, 2004 (133 pages) is the original specification.

Continuation of 3(c) Other: There are three different sets of drawings

- the first set filed on Feb. 23, 2006 including 130 pages;
- the second set filed on Nov. 15, 2004 including 124 pages;
- the third set filed Nov. 15, 2004 including 125 pages.

However, the applicant does not mentioned what the difference among the three sets of drawings. All changes to the drawings shall be explained, in details, in either the drawing amendment or remakes section in the preliminary amendment paper.

Continuation of 4(e) Other: There are four different sets of claims

- the first set filed on Feb. 23, 2006 including 13 pages;
- the second set filed on Feb. 23, 2006 including 12 pages;
- the third set filed Nov. 15, 2004 including 11 pages;
- the fourth set filed on Nov. 15, 2004 including 12 pages.

However, the applicant does not mentioned what the difference among the four sets of claims. For example, the set of claims filed on Feb. 23, 2006 (12 pages) duplicates with the set of claims filed on Nov. 15, 2004 (12 pages) and there is also no status identified for claim 59.

Finally, the applicant should indicate which set of specification/disclosure, drawings and claims needs to be examined on the merit.